

1 [Street Encroachment - Operator Convenience Facilities - Terminus of Muni Transit Lines]

2
3 **Resolution granting revocable permission to the Municipal Transportation Agency to**
4 **occupy portions of the public right-of-way to install and maintain two new operator**
5 **convenience facilities at the terminus of various Muni bus routes; and making**
6 **environmental findings, and findings of consistency with the General Plan, and the**
7 **eight priority policies of Planning Code, Section 101.1.**

8
9 WHEREAS, Pursuant to Public Works Code Section 786, the San Francisco Municipal
10 Transportation Agency (SFMTA) requested permission to occupy portions of the public right-
11 of-way to install and maintain up to a total of seventy (70) operator convenience facilities
12 (restrooms) at the terminus of various Muni bus routes throughout the City. Copies of such
13 plans are on file in the office of the Clerk of the Board of Supervisors in File No. 130877 and
14 are incorporated herein by reference; and

15 WHEREAS, The Transportation Advisory Staff Committee, at its meeting of December
16 20, 2012, recommended the proposed encroachments for approval; and

17 WHEREAS, The Planning Department, by letter dated October 19, 2012, found 34 of
18 the proposed restroom locations to be in conformity with the General Plan, including the
19 following 2 specific locations: (1) On 25th Street, east of Potrero Avenue (1298 Potrero
20 Avenue); and, (2) On Ortega Street, west of 48th Avenue (4101 Ortega Street). This letter
21 also included a determination pursuant to the California Environmental Quality Act (California
22 Public Resources Code section 21000 et seq.). A copy of said letter is on file with the Clerk of
23 the Board of Supervisors in File No. 130877, and is incorporated herein by reference; and

24 WHEREAS, On July 16, 2012, the San Francisco Arts Commission adopted Resolution
25 No. 0910-12-227, which approved Phase 1 of the prefabricated design for 34 proposed

1 restroom locations. A copy of said Resolution is on file with the Clerk of the Board of
2 Supervisors in File No. 130877, and is incorporated herein by reference; and

3 WHEREAS, After a duly noticed public hearing on May 22, 2012, the Department of
4 Public Works (DPW), in DPW Order No. 181381, dated June 13, 2013, recommended
5 approval of the proposed encroachments. A copy of said Order is on file with the Clerk of the
6 Board of Supervisors in File No. 130877, and is incorporated herein by reference; and

7 WHEREAS, The permit and its associated encroachment agreement, which describes
8 the approximate locations of the restrooms among other terms, shall not become effective
9 until:

10 (a) The Permittee executes and acknowledges the permit and delivers said permit to
11 the City's Controller, and

12 (b) DPW records the permit and associated agreement in the office of the County
13 Recorder; and

14 WHEREAS, The permit and its associated agreement are on file with the Clerk of the
15 Board of Supervisors in File No. 130877 and incorporated herein by reference; and

16 WHEREAS, The Permittee, at its sole expense and as is necessary as a result of this
17 permit, shall make the following arrangements:

18 (a) To provide for the support and protection of facilities under the jurisdiction of DPW,
19 the San Francisco Water Department, the San Francisco Fire Department and other City
20 Departments, and public utility companies;

21 (b) To provide access to such facilities to allow said entities to construct, reconstruct,
22 maintain, operate, or repair such facilities; and

23 (c) To remove or relocate such facilities if installation of the encroachment requires
24 said removal or relocation and to make all necessary arrangements with the owners of such
25

1 facilities, including payment for all their costs, should said removal or relocation be required;
2 and

3 WHEREAS, The Permittee shall procure the necessary permits for installation of the
4 restrooms from the Bureau of Street-Use and Mapping, Department of Public Works; and

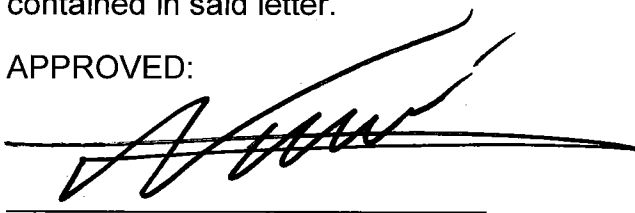
5 WHEREAS, No structures shall be erected or constructed within said street right-of-
6 way except as specifically permitted herein; and

7 WHEREAS, The Permittee shall assume all costs for the maintenance and repair of the
8 encroachments and no cost or obligation of any kind shall accrue to DPW by reason of this
9 permission granted; now, therefore, be it

10 RESOLVED, That pursuant to Public Works Code Section 786, the Board of
11 Supervisors hereby grants revocable permission to SFMTA, to occupy portions of the public
12 right-of-way to install and maintain two operator convenience facilities at (1) 25th Street, east
13 of Potrero Avenue (1298 Potrero Avenue); and (2) on Ortega Street, west of 48th Avenue
14 (4101 Ortega Street); and, be it

15 FURTHER RESOLVED, That the Board adopts as its own the findings of consistency
16 with the General Plan and Planning Code Section 101.1 as set forth in the Planning
17 Department letter dated October 19, 2012, and affirms the environmental determination
18 contained in said letter.

19 APPROVED:

20 
21 _____

22 Mohammed Nuru

23 Director of Public Works



City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130877

Date Passed: October 08, 2013

Resolution granting revocable permission to the Municipal Transportation Agency to occupy portions of the public right-of-way to install and maintain two new operator convenience facilities at the terminus of various Muni bus routes; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

September 30, 2013 Land Use and Economic Development Committee - AMENDED


September 30, 2013 Land Use and Economic Development Committee - RECOMMENDED AS AMENDED

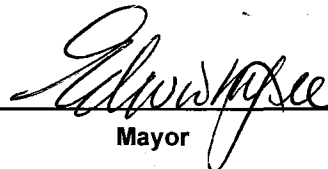
October 08, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130877

I hereby certify that the foregoing Resolution was ADOPTED on 10/8/2013 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor


Date Approved